

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IMRAN KHAN, et al.,

*Plaintiffs,*

v.

No. 7:20-cv-07561-PMH

BOARD OF DIRECTORS OF PENTEGRA  
DEFINED CONTRIBUTION PLAN, *et al.*,

*Defendants.*

**DEFENDANTS' MOTION TO SEAL**

In accordance with the Court's Individual Practice 5(B), Defendants in the above-captioned matter seek leave to provisionally seal portions of the Memorandum in Support of Defendants' Motion to Exclude Testimony of Plaintiffs' Experts and Evidence Regarding Sterling Resources Report ("Motion in Limine") and to provisionally file Defendants' Exhibits A, C, E, G, H, J, and K attached to Declaration of Sarah M. Adams ("Declaration") in Support of Defendants' Motion in Limine under seal.

In support of this Motion, Defendants state that the Motion in Limine quotes and cites documents that have been designated as Confidential pursuant to the terms of the Protective Order (Doc. 121) because they disclose sensitive business and corporate financial information. Because these documents are material to Defendants' Motion in Limine, Defendants also submit the documents from which they were drawn to provide the Court the full context for Defendants' arguments.

For these reasons, Defendants respectfully request that the Court grant the Defendants' Motion to Seal.

Dated: May 3, 2024

Respectfully submitted,

/s/ Sarah M. Adams

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Application granted in part and denied in part. It appears that the unredacted version of the motion *in limine* documents filed by Defendants was filed on the public docket while the redacted version was filed under seal. The Clerk of Court is respectfully directed to strike Defendants' publicly filed motion *in limine* (Doc. 218) and supporting affidavit with exhibits (Doc. 219), as well as the version filed under seal (Doc. 221) from the docket but retain the summary docket text for the record. No later than May 13, 2024, Defendants shall file the redacted version of their motion *in limine* documents on the public docket, and an unredacted version under seal with the redactions highlighted in compliance with the Court's Individual Practices.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
May 6, 2024